

REMARKS/ARGUMENTS

In the present Office Action, claims 1-3, 6-9, 12-15, and 18-20 were rejected. The Examiner objected to claim 18. Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. Claim 18 has been amended. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

CLAIM AMENDMENT

The Applicant has amended claim 18 to correct its dependency. Claim 18 is now amended to depend from claim 13. No new matter has been added. This change is not intended to affect the scope of the claim whatsoever. Withdrawal of the objection is respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. §102(b)

Claims 1-3, 6-9, 12-15 and 18-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,036,106 to Stuard.

To anticipate a claim, the reference must teach every element of the claim. *MPEP* §2131. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987).

The Examiner states that Stuard teaches "a separator (1) for removing liquids from a pressurized gaseous stream comprising a filter element disposed in a body defining an inner chamber (F), a housing having the body disposed in an outer chamber (C), a drain device (23) having an orifice in the inner chamber (8) and the outer chamber (23) for draining the liquids

from both the inner chamber and the outer chamber from the filter. The Examiner states that Stuard further teaches the drain device comprising a spring loaded valve to open or shut the orifice of the chambers due to the pressure variations. The Examiner further states that Stuard teaches a method of filtering liquids from a pressurized gaseous stream comprising the steps of providing a filter element disposed in the inner chamber (F), housing the filter element in a housing and disposed therein an outer chamber (1), draining liquids from both the inner and outer chambers (C, E) from the filter through a drain device (23) through valves (37, 25)."

The Applicant respectfully disagrees. Stuard discloses a separator. Air enters the separator through inlet port 6 into chamber C (see FIG. 1), which is part of the lower portion of the shell (see p. 1, Col. 1, line 54). "The lower portion of the shell or casing 1 has disposed thereacross a partition 7 dividing the casing or shell 1 into an upper separating chamber C and a lower elimination chamber E. These two chambers are in communication through the opening 8 at the bottom portion of the partition 7 which, as illustrated in Figure 1 of the drawing, is in the form of an introverted truncated cone." Stuard, page 1, Col. 1, line 54 to Col. 2, line 7; FIG. 1. A filtering chamber F containing "pebbles 18 and a packing or lamination 19 of ginned wool or other shredded fibrous material" sits inside chamber C. Stuard, page 1, Col. 2, lines 8-18 & 25-29; FIG. 1. At the lower end of the tubular member defining filter chamber F is a perforated plate 12 which allows air to enter the filtering chamber F and water to drain out of filtering chamber F. Stuard, page 1, Col. 2, lines 13-18. Water draining out of filter chamber F and chamber C then passes through opening 8 to element S and out drain opening 23. (see FIG. 1.) Thus, chambers F and C share an orifice 8 and do not each have an orifice.

At the top of filtering chamber F, flange 10 and plate 20 have a large opening 31 that is sealed by a disk 36 forced closed by a spring (expansible member 37 and a weighted member

39). Stuard, page 2, Col. 1, lines 5-28. This combination of flange 10, plate 20, and disk 36 forms the upper surface of chamber C and filtering chamber F. Thus, as described in the specification and in view of the drawings, chamber C, chamber E, and filtering chamber F are designed to be at the same pressure when the separator is operating. Furthermore, chamber D is sealed off from chamber C, chamber E, and filtering chamber F by the combination of flange 10, plate 20, and disk 36. An air stream will flow through chamber F and act on piston 33 causing disk 36 to move rod 26 upwards and allow air to pass through. Thus, the differences in pressure between Chambers F and D cause the movement of the disk 36.

Thus, Stuard does not disclose at least “a drain device, having an orifice in the inner chamber and the outer chamber for draining the liquids from both the inner chamber and the outer chamber from the filter, wherein the spring loaded ball or valve shuts the inner chamber drain orifice when the outer chamber pressure is greater than the inner chamber pressure,” as in independent claim 1 of the present application. Also, Stuard does not disclose at least “draining liquids from both the inner chamber and the outer chamber from the filter through a drain device having an orifice in the inner chamber and the outer chamber, wherein the drain device comprises a spring loaded ball or valve to open or shut the orifice in the inner chamber, and wherein the spring loaded ball or valve shuts the inner chamber drain orifice when the outer chamber pressure is greater than the inner chamber pressure,” as recited by claim 7. Further, Stuard does not disclose at least “draining means, having an orifice in the inner chamber and the outer chamber for draining the liquids from both the inner chamber and the outer chamber from the device, wherein the draining means comprises a spring loaded ball or valve to open or shut the orifice in the inner chamber, and wherein the spring loaded ball or valve shuts the inner chamber drain orifice when the outer chamber pressure is greater than the inner chamber

pressure,” as recited by claim 13. Thus, the Examiner’s rejection of independent claims 1, 7, and 13 should be withdrawn in light of the preceding arguments.

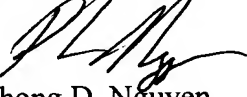
Claims 2, 3, 6, 19, and 20 depend directly or indirectly from independent claim 1, claims 8, 9, and 12 depend directly or indirectly from independent claim 7, and claims 14, 15, and 18 depend directly or indirectly from independent claim 13. Because independent claims 1, 7, and 13 are in condition for allowance, the dependent claims listed above are patentable at least by virtue of their dependency on allowable independent claims. Thus, the rejection of these dependant claims should be withdrawn.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. If it is believed that the application is not in condition for allowance the Examiner is requested to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 87245.1660.

Respectfully submitted,
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